

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

**Criminal Action No.
5: 93-CR-176 (FJS)**

v.

FRANKIE HERNANDEZ,

Defendant.

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon, the United States Attorney for the Northern District of New York hereby dismisses Indictment No. 5: 93-CR-176 (FJS) against Frankie Hernandez, the defendant, charging violations of Title 21, United States Code, Section 846 (count 1) and Title 21, United States Code, Section 841(a)(1) (count 3).

The reason(s) for this dismissal are (check one or more):

☐ Case transferred to another District

☐ Speedy Trial Act

☐ Defendant's cooperation

☐ Insufficient evidence at this time

☒ Other: Interests of Justice.

With respect to this dismissal, defendants (check one):

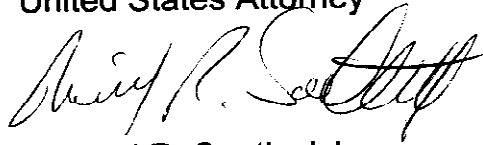
☐ Consents

☐ Objects

☒ Has not been consulted

This dismissal is without prejudice.


GLENN T. SUDDABY
United States Attorney



By: Richard R. Southwick
Assistant U.S. Attorney
Bar Roll No. 506265

Leave of court is granted for the filing of the foregoing dismissal.

Dated: May 17, 2007


Hon. Frederick J. Scullin, Jr.
Senior United States District Judge